

**REMARKS**

This communication is in response to the Office Action of September 19, 2006 wherein three inventions were identified and election of a single invention was required. As stated in the Office Action the claims groupings are as follows:

- I. Claims 1-21, 22-23, 28, 39-45, 46-47 and 49, drawn to process of forming a medical device, classified in class 264, subclass 219.
- II. Claims 25-27, 29, and 30-31, drawn to medical device formed of a polymer, classified in class 428, subclass 35.1.
- III. Claims 53-63, drawn to a mold, classified in class 264, subclass 308.

This grouping omits pending claims 24 and 32-38.

The undersigned discussed the omitted claims with the Examiner on or about October 5, 2006. Based on the existing groupings it was agreed that claim 24 should be included in Group I and claims 32-38 should be in Group II. Also, subsequent to that discussion, it was noted that claims 50-52 (now 49-51) also were omitted from the claim groupings in the Office Action. These claims are directed to a medical device formed of a polymer and so should also be included in group II. Election herein is made on that basis. If the Office subsequently decides to break the groupings down further, or differently, applicant reserves the right to traverse the restriction requirement and change the election made herein.

With that qualification, Applicants elects Group II, drawn to medical device formed of a polymer, classified in class 428, subclass 35.1. Claims 25-27, 29, 30-31, 32-38 and 49-51 (as currently numbered) are included in the elected group.

In reviewing the claim groupings it was noticed that there was no claim 48. Claims 49-63 have accordingly been renumbered as 48-62 herein, with appropriate correction of the dependent claims to refer to the amended antecedent claim number. Also a discrepancy in an antecedent text reference was found in claim 29 and has been corrected.

**Conclusion**

Reconsideration of the restriction requirement is requested. The omission of claims 24, 32-38 and 49-51 should be corrected by including claim 24 in Group I and claims 32-38 and 49-51 in Group II. Provided that such grouping is correct, and not changed, election of

Application No. 10/622621

Page 12

*Response To Restriction Requirement*

Group II is made without traverse.

Respectfully submitted,

VIDAS, ARRETT & STEINKRAUS

Date: October 18, 2006

By: 

Walter J. Steinkraus

Registration No.: 29592

6109 Blue Circle Drive, Suite 2000

Minnetonka, MN 55343-9185

Telephone: (952) 563-3000

Facsimile: (952) 563-3001

f:\wpwork\wjs\10856us01\_rsp\_20061012.doc